

## REMARKS

Claims 1-29 are pending in the present application. Claims 1-29 have been examined and stand rejected. In the above amendments, claims 1, 4, 13-19 and 27-29 have been amended, and new claims 30-32 have been added. Therefore, after entry of the above amendments, claims 1-32 will be pending in this application. Applicant believes that the present application is now in condition for allowance, which prompt and favorable action is respectfully requested.

### **Rejection of Claims 1-3, 7-13, 15, 18, 20-27 and 29 Under 35 U.S.C. §102(b)**

Claims 1-3, 7-13, 15, 18, 20-27 and 29 stand rejected under 35 U.S.C. §102(b) as being anticipated by Singh *et al* (U.S. 2003/0139184).

Claim 1 of the present application, as amended, recites:

“A wireless device operable to communicate with first and second wireless communication networks of different radio access technologies, comprising:

a first modem processor operative to perform processing for a pending call with the first wireless network implementing a first radio access technology from 3rd Generation Partnership Project (3GPP), receive a first message from the first wireless network to perform handoff to the second wireless network, and provide notification of the handoff; and

a second modem processor operative to exchange a second message with the second wireless network implementing a second radio access technology from 3rd Generation Partnership Project 2 (3GPP2) to establish a new call with the second wireless network, perform a call setup procedure with the second wireless network to establish the new call, and perform processing for the new call with the second wireless network.”

Applicant submits that claim 1 is not anticipated by Singh for at least the following reasons.

First, Singh does not disclose “a second modem processor operative to ... perform a call setup procedure with the second wireless network to establish the new call,” as recited in claim 1. Singh relates to GSM to UMTS handover in Fig. 3A. For this handover, a user equipment (UE) 6 initially receives an “Inter System Handover to UTRAN Command” (step

**100).** GSM RR 18 of UE 6 then sends an “RR to RRC Handover Command” message, which is included in the “Inter System Handover to UTRAN Command” message, to UMTS RRC 28 (step 112). RR and RRC are control functions for GSM and UMTS, respectively, and reside at UE 6. UMTS RRC 28 then configures the UMTS physical channel based on configuration parameter included in the “RR to RRC Handover Command” message. (See paragraph [0053].) Thus, in Singh, the information used to configure the UMTS physical channel is sent in the “Inter System Handover to UTRAN Command” message that initiates handover, and a call setup procedure is not performed. A call setup procedure may entail exchanging signaling between a wireless device and a new radio access network to establish a call for the wireless device, e.g., as shown in FIGS. 10B and 11B of the present application.

Second, Singh does not disclose “a second modem processor operative to exchange a second message with the second wireless network implementing a second radio access technology from 3rd Generation Partnership Project 2 (3GPP2),” as recited in claim 1. Singh sets forth dual mode UE 6 supporting UMTS and GSM, both of which are from 3GPP. Singh does not disclose a UE supporting a radio access technology from 3GPP as well as a radio access technology from 3GPP2, with 3GPP and 3GPP2 being two different standard organizations.

With regards to claim 4, the rejection states that Singh fails to disclose the second wireless network implements IS-2000 but that Patel *et al* (U.S. 2004/0203469) relates to the second wireless network implements IS-2000. Singh relates to inter-system handover between UMTS and GSM, which are covered by 3GPP and are designed to interoperate together. Patel relates to reducing latency for non-call delivery paging in IS-2000, which is covered by 3GPP2. At the time of filing of the present application, no provisions are described by 3GPP and 3GPP2 to perform handover from a UMTS/W-CDMA system to an cdma2000/IS-2000 system. (See paragraph [0005], last sentence of the present application.) Thus, there is no apparent motivation to combine Singh with Patel since W-CDMA and IS-2000 did not interoperate for handover at the time of filing of the present application.

For at least the above reasons, Applicant submits that claim 1 is not anticipated by Singh and is further patentable over Singh in view of Patel.

Independent claims 13, 15, 18, 27 and 29 have each been amended to recite features similar to those noted above for claim 1. Claims 2, 3, and 7-12 are dependent on claim 1, and claims 20-26 are dependent on claim 18. Claims 2, 3, 7-13, 15, 18, 20-27 and 29 are not

anticipated by Singh and are further patentable over Singh in view of Patel for reasons similar to those noted above for claim 1.

Accordingly, the §102(b) rejection of claims 1-3, 7-13, 15, 18, 20-27 and 29 should be withdrawn.

**Rejection of Claims 4-6, 14, 16, 17, 19 and 28 Under 35 U.S.C. §103(a)**

Claims 4-6, 14, 16, 17, 19 and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Singh *et al* (U.S. 2003/0139184) in view of Patel (U.S. 2004/0203469).

Claims 4-6 are dependent on claim 1, claim 14 is dependent on claim 13, claim 16 is dependent on claim 15, claim 19 is dependent on claim 18, and claim 28 is dependent on claim 27. Independent claim 17 recites features similar to those noted above for claim 1.

Applicant submits that claims 4-6, 14, 16, 17, 19 and 28 are patentable over Singh in view of Patel for at least the following reasons. First, Singh does not disclose all elements of base claims 1, 13, 15, 18 and 27, as discussed above for claim 1. Hence, Singh is an insufficient basis for the §103(a) rejection of dependent claims 4-6, 14, 16, 19 and 28. Second, there is no suggestion or motivation to combine Singh with Patel, as also discussed above.

For at least the above reasons, Applicant submits that claims 4-6, 14, 16, 17, 19 and 28 are patentable over Singh in view of Patel.

Accordingly, the §103(a) rejection of claims 4-6, 14, 16, 17, 19 and 28 should be withdrawn.

**New Claims**

New claims 30-32 recite additional features of the present application. Support for claims 30-32 is given in paragraph [0033] of the present application.

### CONCLUSION

In light of the amendments contained herein, Applicant submits that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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